

AMENDED IN ASSEMBLY JUNE 9, 2004

AMENDED IN SENATE MAY 24, 2004

AMENDED IN SENATE MAY 10, 2004

AMENDED IN SENATE MAY 6, 2004

AMENDED IN SENATE APRIL 26, 2004

AMENDED IN SENATE APRIL 12, 2004

SENATE BILL

No. 1630

Introduced by Senator Speier

(Coauthor: Senator Alpert)

~~(Coauthor: Assembly Member Shirley Horton)~~

(Coauthors: Assembly Members Shirley Horton, Koretz, and Levine)

February 20, 2004

An act to amend Section 35179.1 of, and to add Article 6.5 (commencing with Section 49030) to Chapter 6 of Part 27 of, the Education Code, relating to pupils.

LEGISLATIVE COUNSEL'S DIGEST

SB 1630, as amended, Speier. Performance-enhancing dietary supplements.

Existing law sets forth the rights and responsibilities of pupils in public schools. Existing law further requires certain school employees to comply with various educational requirements.

This bill would declare the intent of the Legislature that the California Interscholastic Federation require limited random testing for steroid and performance-enhancing dietary supplement use by pupils

participating in high school sports if funding is available for that purpose.

This bill would require the State Department of Health Services, in consultation with the California Interscholastic Federation, to develop a list of performance-enhancing dietary supplements, as defined, on or before January 1, 2006, with certain requirements. The bill would require the California Interscholastic Federation to amend its constitution and bylaws to require that school districts prohibit a pupil from participating in high school sports on and after July 1, 2006, unless that pupil agrees not to use any of the prohibited substances identified by the department and the parent or guardian of that pupil signs a notification form regarding those restrictions, and to require a school district to administer limited random testing for prohibited substances identified by the department, *upon a determination by the Director of Finance that sufficient funds are available to support this activity.*

The bill would create the Interscholastic Athletics Anti-Doping Fund, and would authorize the State Department of Education and a school district to receive voluntary contributions to be used for the purposes of conducting tests for performance-enhancing dietary supplements upon an appropriation of those funds by the Legislature. The bill would permit a school district to administer the testing described above, and would provide grants to a school district for that purpose, upon an appropriation by the Legislature.

The bill would, commencing ~~on~~ July 1, 2006, prohibit schools from accepting sponsorships from manufacturers of those supplements and would prohibit certain school employees from selling, distributing, or promoting those supplements.

The bill would require each high school sports coach, as defined, to complete a coaching education program developed by his or her school district or by the California Interscholastic Federation that meets specified training requirements. The bill would make that requirement operative on December 31, 2007.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. It is the intent of the Legislature that the
- 2 California Interscholastic Federation require limited random
- 3 testing for steroid and harmful performance-enhancing dietary



1 supplement use by pupils participating in high school sports if
2 funding is made available for that purpose.

3 SEC. 2. Section 35179.1 of the Education Code is amended
4 to read:

5 35179.1. (a) This section shall be known and may be cited as
6 the 1998 California High School Coaching Education and
7 Training Program.

8 (b) The Legislature finds and declares all of the following:

9 (1) The exploding demand in girls athletics, and an increase in
10 the number of pupils participating in both boys and girls athletics,
11 are causing an increase in the number of coaches needed statewide.

12 (2) Well-trained coaches are vital to the success of the
13 experience of a pupil in sports and interscholastic athletic
14 activities.

15 (3) Improvement in coaching is a primary need identified by
16 hundreds of principals, superintendents, and school board
17 members who participated in the development of a strategic plan
18 for the California Interscholastic Federation (CIF) in 1993 and
19 1994.

20 (4) There are many concerns about safety, training,
21 organization, philosophy, communications, and general
22 management in coaching that need to be addressed.

23 (5) It is a conservative estimate that at least 25,000 coaches
24 annually need training and an orientation just to meet current
25 coaching regulations contained in Title 5 of the California Code of
26 Regulations, including basic safety and CPR requirements.

27 (6) School districts, in conjunction with the California
28 Interscholastic Federation, have taken the initial first steps toward
29 building a statewide coaching education program by assembling
30 a faculty of statewide trainers composed of school district
31 administrators, coaches, and athletic directors using a national
32 program being used in several states.

33 (c) It is, therefore, the intent of the Legislature to establish a
34 California High School Coaching Education and Training
35 Program. It is the intent of the Legislature that the program be
36 administered by local school districts and emphasize the following
37 components:

38 (1) Development of coaching philosophies consistent with
39 school, school district, and school board goals.

(2) Sport psychology: emphasizing communication, reinforcement of the efforts of young people, effective delivery of coaching regarding technique, and motivation of the pupil athlete.

(3) Sport pedagogy: how young athletes learn, and how to teach sport skills.

(4) Sport physiology: principles of training, fitness for sport, development of a training program, nutrition for athletes, and the harmful effects associated with the use of steroids and performance-enhancing dietary supplements by adolescents.

(5) Sport management: team management, risk management, and working within the context of an entire school program.

(6) Training: certification in CPR and first aid.

(7) Knowledge of, and adherence to, statewide rules and regulations, as well as school regulations including, but not necessarily limited to, eligibility, gender equity and discrimination.

(8) Sound planning and goal setting.

(d) This section does not endorse a particular coaching education or training program.

SEC. 3. Article 6.5 (commencing with Section 49030) is added to Chapter 6 of Part 27 of the Education Code, to read:

Article 6.5. Prohibition of Performance-Enhancing Dietary Supplements

49030. For the purposes of this article, “performance-enhancing dietary supplement” means a dietary supplement that is designed or formulated to enhance physical performance or development above levels that would be anticipated under normal conditions with appropriate nourishment.

49031. (a) A teacher, athletic director, sports coach, or other school official or employee may not sell, distribute, or promote a performance-enhancing dietary supplement.

(b) A school may not accept a sponsorship from a performance-enhancing dietary supplement manufacturer.

(c) This section shall become operative on July 1, 2006.

49032. (a) The State Department of Health Services, in consultation with the California Interscholastic Federation, shall develop a list of performance-enhancing dietary supplements for

the purposes of this article. The list shall be developed on or before January 1, 2006, and may be amended by the State Department of Health Services at any time. The State Department of Health Services shall submit this list to the State Department of Education on or before January 1, 2006. Upon receipt of this list, the State Department of Education shall notify each school district that contains grades 9 to 12, inclusive, that this list has been completed and shall post the list on its Web site.

(b) In developing this list, the State Department of Health Services shall refer to existing lists of performance-enhancing dietary supplements used by collegiate, professional, or Olympic sports organizations and shall develop the list so that it is appropriate to interscholastic sports.

49033. (a) Effective December 31, 2007, each high school sports coach shall have completed a coaching education program developed by his or her school district or the California Interscholastic Federation that meets the guidelines set forth in Section 35179.1.

(b) Upon completion of the program, a high school sports coach shall be deemed to have completed the education requirement for the remainder of his or her time coaching at the high school level in any school district in the state.

(c) Each high school sports coach shall be responsible for the costs of taking the course.

(d) The training requirements of this section shall count toward the continuing education required for the renewal of the teaching credential of a coach who is also a certificated employee.

~~(e) It is the intent of the Legislature that all high school sports coaches satisfy the requirements of subdivision (a). If~~
Notwithstanding subdivision (a), if the existing coach is unavailable to lead his or her team, a substitute coach who does not meet the requirements of subdivision (a) may be used for no longer than one season of interscholastic competition.

(f) For the purposes of this section, “high school sports coach” means an employee or a volunteer who is authorized by a high school to be responsible for leading a school sports team of pupil athletes.

49034. (a) The State Department of Health Services, in consultation with the California Interscholastic Federation, shall develop a methodology for testing procedures that would most

1 effectively screen high school pupils for the presence of steroids
2 and, *to the extent possible*, dietary supplements identified
3 pursuant to Section 49032.

4 (b) To the extent possible, the State Department of Health
5 Services shall adopt an existing methodology currently used by a
6 school district or collegiate sports organization. The State
7 Department of Health Services may contract with a private
8 consultant pursuant to Section 19130 of the Government Code.

9 (c) The State Department of Health Services shall develop this
10 methodology on or before January 1, 2006, and shall submit the
11 final testing methodology to the State Department of Education.
12 Upon receipt of this methodology, the State Department of
13 Education shall notify each school district that contains grades 9
14 to 12, inclusive, that this methodology has been completed and
15 shall post the methodology on its Web site.

16 49035. The California Interscholastic Federation shall amend
17 its constitution and bylaws to require, as a condition of
18 participation in interscholastic sports, that school districts comply
19 with the following requirements:

20 (a) Effective July 1, 2006, a pupil may not participate in
21 interscholastic high school sports, unless that pupil agrees not to
22 use any of the supplements identified by the department pursuant
23 to Section 49032 and the parent and guardian of that pupil signs
24 a notification form regarding those restrictions.

25 ~~(b) A school district shall administer limited random tests~~
26 ~~pursuant to the guidelines established pursuant to subdivision (a)~~
27 ~~of Section 49034 upon a determination by that school district that~~
28 ~~sufficient nonstate funds are available to conduct those tests.~~

29 (b) *A school district shall administer limited random tests to*
30 *student athletes involved in sports, including, but not limited to,*
31 *baseball, softball, football, track and field, and wrestling,*
32 *pursuant to the guidelines established pursuant to subdivision (a)*
33 *of Section 49034.*

34 49036. *The department and a school district may accept*
35 *voluntary contributions to pay the costs for compliance with*
36 *subdivision (b) of Section 49035. Contributions received by the*
37 *department shall be deposited in the Interscholastic Athletics*
38 *Anti-Doping Fund, which is hereby created in the State Treasury.*
39 *If a school district elects to accept a contribution pursuant to this*
40 *section, the school district shall remit that contribution to the*

1 department to be deposited in the Interscholastic Athletics
2 Anti-Doping Fund. Funds deposited in the Interscholastic
3 Athletics Anti-Doping Fund are available upon appropriation by
4 the Legislature and may only be expended for purposes of
5 subdivision (b) of Section 49035.

6 49037. Subdivision (b) of Section 49035 shall take effect only
7 upon the determination by the Director of the Department of
8 Finance that sufficient funds have been collected in the
9 Interscholastic Athletics Anti-Doping Fund, or that the
10 Legislature has appropriated sufficient funds, to support the
11 activities described in that subdivision. The determination by the
12 director shall be communicated in writing to the department.

13 49038. Notwithstanding Sections 49036 and 49037, a school
14 district may administer limited random tests to student athletes
15 involved in sports, including, but not limited to, baseball, softball,
16 football, track and field, and wrestling, pursuant to the guidelines
17 established pursuant to subdivision (a) of Section 49034. The
18 department shall provide grants to school districts for this purpose
19 from the Interscholastic Athletics Anti-Doping fund, on a first
20 come, first serve basis, upon an appropriation by the Legislature.
21 The department shall advise school districts of the availability of
22 these grants.

